

Remarks

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the pending Office Action, the Examiner rejected claims 1, 4, 6 and 7, under 35 USC §112, ¶2, allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; and rejected claims 1, 4, 6 and 7, under 35 U.S.C. §103(a), as allegedly being unpatentable over Endo '113 (JP-63085113 U) in view of Abe '920 (JP-10313920 A).

As a preliminary matter, Applicants submit that entry of this Amendment is proper under 37 C.F.R. §1.116 as the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not present any new issues that would require further consideration and/or search as the amendments *merely amplify issues already addressed throughout the prosecution*; (c) do not present any additional claims without canceling a corresponding number of claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of this Amendment is thus respectfully requested.

By this Amendment, independent claim 1 has been amended for form and clarity. No new matter has been introduced. Therefore, claims 1 and 4-7 are currently presented for examination, of which claims 1 and 4 are independent. Support for the instant amendments is provided throughout the Specification.

Applicant traverses the §112, ¶2 and §103(a) rejections for the following reasons:

I. REJECTIONS UNDER 35 U.S.C. §112, ¶2.

Applicant has amended independent claims 1 and 4 to clarify that the claimed opening sections have diameters that are larger than the diameters of the first and second holes, in accordance with the Examiner's interpretation. (See, Final Office Action: page 2). Specifically, claims 1 and 4 now recite that *each of the opening sections have a diameter that is larger than a diameter along the non-distal section of the first and second holes.*

As such, the §112, ¶2 rejection has been obviated and the immediate withdrawal of the §112, ¶2 rejections of claims 1, 4, 6, and 7 is respectfully requested.

II. REJECTIONS UNDER 35 U.S.C. §103(a).

As noted above, independent claims 1 and 4 now positively recite, *inter alia*, that *each of the first and second holes contains an opening section at a distal end section of the respective first and second holes, each of the opening sections having a diameter that is larger than a diameter along the non-distal section of the first and second holes* such that *a step is formed between the distal end section having the larger diameter and the non-distal section having the smaller diameter.*

These features are amply supported and described by the embodiments disclosed throughout the written description. By way of illustration, the disclosed embodiments provide a configuration in which the first and second holes 1, 2 have opening sections 1a, 1b with diameters that are expanded to be larger than the diameters of the first and second holes 1, 2. (See, Specification: page 9, lines 1-25; FIG. 2). In this manner, the vertex section cutting is substantially simplified. As is clear from FIGs. 2, 3 of the present Specification, the transition between the opening section diameters and opening hole diameters are not gradual or tapered – rather the transition between the two diameters is stepped. In other words, the cross-sectional profile of the opening section diameter and the diameter along the non-distal section of the first and second holes is configured to have a step formed between the distal end section having the larger diameter and the non-distal section having the smaller diameter.

With this said, Applicant submits that the asserted reference fails to suggest each and every element of claim 1 including, for example, the claim features noted above. In particular, the Examiner acknowledged that the primary reference, Endo '113, fails to suggest that the opening sections have enlarged diameters. The Examiner, therefore, relied on Abe '920 as allegedly teaching such a feature. Applicant respectfully disagrees.

As noted by the Examiner, Abe '920 discloses that the flange end of joining member 1 has a larger diameter than the opposite end. However, to be clear, Abe '920 specifically teaches that base 2 (of joining member 1) *tapers down* from the flange 4 end to the

opposite end. (See, Abe '920: Abstract; FIGs. 1, 2). This necessarily means that the transition between the hole opening **6a** and the non-distal section of hole **6** is also tapered to accommodate the base **2** of joining member **1**.

In so doing, Abe '920 directly contravenes the claimed configuration requiring that *each of the opening sections having a diameter that is larger than a diameter along the non-distal section of the first and second holes* such that a *step is formed between the distal end section* having the larger diameter *and the non-distal section* having the smaller diameter, as required by claim 1.

Moreover, given the deficiencies of Endo '113 acknowledged by the Examiner and the deficiencies of Abe '920 noted above, it is clear to any artisan of ordinary skill that the combination of Endo '113 and Abe '920 are incapable of achieving the claim configuration.

Thus, for at least these reasons, Applicants submit that claim 1 is neither anticipated nor rendered obvious by the asserted references. And, because claim 6 depends from claim 1, claim 6 is patentable at least by virtue of dependency as well as for their additional recitations.

In addition, because independent claim 4 recites similar patentable features as claim 1, claim 4 is patentable for at least similar reasons as claim 1. And, because claim 7 depends from claim 4, claim 7 is patentable at least by virtue of dependency as well as for their additional recitations.

Accordingly, the immediate withdrawal of the §103(a) rejection is respectfully requested.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

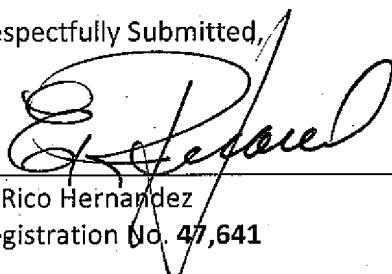
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

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Respectfully Submitted,

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